

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

SEE ATTACHMENT

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY:

SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

 NORTHERN DISTRICT COURT
 OAKLAND DIVISION

DEFENDANT - U.S.

PEDRO GUZMAN-MORENO, aka Pedro Moreno-Guzman

DISTRICT COURT NUMBER

CR08-537SBA

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Drug Enforcement Administration

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a re prosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form JOSEPH P. RUSSONIELLO

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

AUSA GARTH HIRE

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) ☐ If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction } ☐ Federal ☒ State
- 6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

PENALTY SHEET ATTACHMENT

UNITED STATES v. PEDRO GUZMAN-MORENO AND RAFAEL MORENO-LOPEZ

COUNT ONE

**Conspiracy to Distribute and Possess with Intent to Distribute Methamphetamine
(21 U.S.C. §§ 846, 841(b)(1)(A)(viii))**

If 21 U.S.C. § 851 Information alleging prior felony narcotics conviction NOT FILED:

Imprisonment:	Maximum Life Imprisonment Mandatory Minimum 10 Years Imprisonment
Fine:	Maximum \$4,000,000
Supervised Release:	Maximum Lifetime Supervised Release Mandatory Minimum 5-Year Term of Supervised Release
Special Assessment:	\$100

If 21 U.S.C. § 851 Information alleging prior felony narcotics conviction(s) FILED:

Imprisonment:	Maximum Life Imprisonment Mandatory Minimum 20 Years Imprisonment (1 prior) Mandatory Minimum Life Imprisonment (2 priors)
Fine:	Maximum \$8,000,000
Supervised Release:	Maximum Lifetime Supervised Release Mandatory Minimum 10-Year Term of Supervised Release
Special Assessment:	\$100

COUNT TWO

**Possession with Intent to Distribute Methamphetamine
(21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii))**

If 21 U.S.C. § 851 Information alleging prior felony narcotics conviction NOT FILED:

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Fine:	Maximum \$4,000,000

Supervised Release: Maximum Lifetime Supervised Release
Mandatory Minimum 5-Year Term of Supervised Release

Special Assessment: \$100

If 21 U.S.C. § 851 Information alleging prior felony narcotics conviction(s) FILED:

Imprisonment: Maximum Life Imprisonment
Mandatory Minimum 20 Years Imprisonment (1 prior)
Mandatory Minimum Life Imprisonment (2 priors)

Fine: Maximum \$8,000,000

Supervised Release: Maximum Lifetime Supervised Release
Mandatory Minimum 10-Year Term of Supervised Release

Special Assessment: \$100

COUNT THREE

**Using, Carrying, Possessing a Firearm During and in Relation to and in Furtherance of a
Drug Trafficking Crime
(18 U.S.C. § 924(c)(1)(A)(i))**

Imprisonment: Maximum Life Imprisonment
Mandatory Minimum 5 Years Consecutive

Fine: Maximum \$250,000

Supervised Release: Maximum 5-Year Term of Supervised Release

Special Assessment: \$100

AO 257 (Rev. 9/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

SEE ATTACHMENT

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY:

SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

DEFENDANT - U.S.

RAFAEL MORENO-LOPEZ, aka Rafael Lopez-Moreno

DISTRICT COURT NUMBER

CR08-537

SBA

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Drug Enforcement Administration

- ☐
- person is awaiting trial in another Federal or State Court, give name of court

- ☐
- this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

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- this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

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Name and Office of Person

Furnishing Information on this form JOSEPH P. RUSSONIELLO

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) AUSA GARTH HIRE

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

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- If not detained give date any prior summons was served on above charges

- 2)
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- Is a Fugitive

- 3)
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- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☒
- On this charge

- 5)
- ☐
- On another conviction

☐ Federal ☒ State

- 6)
- ☐
- Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

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ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**

- ☐
- SUMMONS
- ☐
- NO PROCESS*
- ☒
- WARRANT

Bail Amount: No Bail

If Summons, complete following:

- ☐
- Arraignment
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- Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

PENALTY SHEET ATTACHMENT

UNITED STATES v. PEDRO GUZMAN-MORENO AND RAFAEL MORENO-LOPEZ

COUNT ONE

**Conspiracy to Distribute and Possess with Intent to Distribute Methamphetamine
(21 U.S.C. §§ 846, 841(b)(1)(A)(viii))**

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Special Assessment:	\$100

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Imprisonment:	Maximum Life Imprisonment Mandatory Minimum 20 Years Imprisonment (1 prior) Mandatory Minimum Life Imprisonment (2 priors)
Fine:	Maximum \$8,000,000
Supervised Release:	Maximum Lifetime Supervised Release Mandatory Minimum 10-Year Term of Supervised Release
Special Assessment:	\$100

COUNT TWO

**Possession with Intent to Distribute Methamphetamine
(21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii))**

If 21 U.S.C. § 851 Information alleging prior felony narcotics conviction NOT FILED:

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Fine:	Maximum \$4,000,000

Supervised Release: Maximum Lifetime Supervised Release
Mandatory Minimum 5-Year Term of Supervised Release

Special Assessment: \$100

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Imprisonment: Maximum Life Imprisonment
Mandatory Minimum 20 Years Imprisonment (1 prior)
Mandatory Minimum Life Imprisonment (2 priors)

Fine: Maximum \$8,000,000

Supervised Release: Maximum Lifetime Supervised Release
Mandatory Minimum 10-Year Term of Supervised Release

Special Assessment: \$100

COUNT THREE

**Using, Carrying, Possessing a Firearm During and in Relation to and in Furtherance of a
Drug Trafficking Crime
(18 U.S.C. § 924(c)(1)(A)(i))**

Imprisonment: Maximum Life Imprisonment
Mandatory Minimum 5 Years Consecutive

Fine: Maximum \$250,000

Supervised Release: Maximum 5-Year Term of Supervised Release

Special Assessment: \$100

United States District Court E-filing

FOR THE
NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL DIVISION
VENUE: OAKLAND

UNITED STATES OF AMERICA,

v.

PEDRO GUZMAN-MORENO,
aka Pedro Moreno-Guzman, and
RAFAEL MORENO-LOPEZ,
aka Rafael Lopez-Moreno,

CR08-537 SBA

DEFENDANT.

INDICTMENT

21 U.S.C. §§ 846, 841(b)(1)(A)(viii) – Conspiracy to
Distribute and Possess With Intent to Distribute
Methamphetamine; 21 U.S.C.

§§ 841(a)(1), (b)(1)(A)(viii) – Possession with Intent to
Distribute Methamphetamine; 18 U.S.C. § 924(c)(1)(A)

(i) – Using, Carrying, and Possessing a Firearm During
and in Relation to, and in Furtherance of, a Drug
Trafficking Crime

A true bill.

Foreman

Filed in open court this 13 day of

AUGUST 2008

Clerk

Bail, \$

No bail or arrest warrants.
Wayne D. Brazil 8/13/08

E-filing

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

2008 AUG 13 PM 12:27

CLERK OF DISTRICT COURT
OAKLAND, CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
PEDRO GUZMAN-MORENO,
aka Pedro Moreno-Guzman, and
RAFAEL MORENO-LOPEZ,
aka Rafael Lopez-Moreno,
Defendants.

No.

08-537 SBA

VIOLATIONS: 21 U.S.C. §§ 846,
841(b)(1)(A)(viii) – Conspiracy to
Distribute and Possess With Intent to
Distribute Methamphetamine; 21 U.S.C.
§§ 841(a)(1), (b)(1)(A)(viii) – Possession
with Intent to Distribute Methamphetamine;
18 U.S.C. § 924(c)(1)(A)(i) – Using,
Carrying, and Possessing a Firearm During
and in Relation to, and in Furtherance of, a
Drug Trafficking Crime

OAKLAND VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (21 U.S.C. §§ 846, 841(b)(1)(A)(viii) – Conspiracy to Distribute and Possess With Intent to Distribute Methamphetamine)

On or about August 12, 2008, in the Northern District of California, the defendants,

PEDRO GUZMAN-MORENO,
aka Pedro Moreno-Guzman, and
RAFAEL MORENO-LOPEZ,
aka Rafael Lopez-Moreno,

did knowingly and intentionally conspire to distribute and possess with intent to distribute, a
Schedule II controlled substance, namely, at least 500 grams of a mixture and substance

INDICTMENT

1 containing a detectable amount of methamphetamine, in violation of Title 21, United States
2 Code, Sections 846, 841(b)(1)(A)(viii).

3
4 COUNT TWO: (21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii) – Possession with Intent to
5 Distribute Methamphetamine)

6 On or about August 12, 2008, in the Northern District of California, the defendants,

7 PEDRO GUZMAN-MORENO,
8 aka Pedro Moreno-Guzman, and
9 RAFAEL MORENO-LOPEZ,
aka Rafael Lopez-Moreno,

10 did knowingly and intentionally possess with intent to distribute a Schedule II controlled
11 substance, namely, at least 500 grams of a mixture and substance containing a detectable amount
12 of methamphetamine in violation of Title 21, United States Code, Sections 841(a)(1),
13 (b)(1)(A)(viii).

14
15 COUNT THREE: (18 U.S.C. § 924(c)(1)(A)(i) – Using, Carrying, and Possessing a Firearm
16 During and in Relation to, and in Furtherance of, a Drug Trafficking
Crime)

17 On or about August 12, 2008, in the Northern District of California, the defendants,

18 PEDRO GUZMAN-MORENO,
19 aka Pedro Moreno-Guzman, and
20 RAFAEL MORENO-LOPEZ,
aka Rafael Lopez-Moreno,

21 did knowingly and intentionally use, carry, and possess a firearm, namely, a Smith & Wesson,
22 .357 revolver, during and in relation to, and in furtherance of, drug trafficking crimes, namely,
23 conspiracy to distribute, and to possess with intent to distribute, methamphetamine, as charged in
24 count one of this indictment, and possession with intent to distribute methamphetamine, as

25 ///

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27 ///

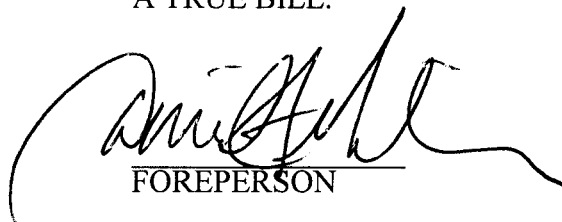
28
INDICTMENT

1 charged in count two of this indictment, in violation of Title 18, United States Code, Section
2 924(c)(1)(A)(i).

3 DATED:

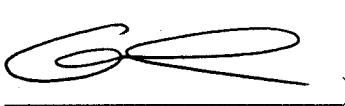
A TRUE BILL.

4 8-13-08

5
6 
FOREPERSON

7 JOSEPH P. RUSSONIELLO
8 United States Attorney

9 
10 W. DOUGLAS SPRAGUE
Chief, Oakland Branch

11 (Approved as to form: )

12 AUSA GARTH HIRE

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INDICTMENT